

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT LEE KETCHUM,

Defendant.

CR-15-49-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on April 13, 2022. (Doc. 158.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 22, 2022. (Doc. 157.) The United States accused Ketchum of violating his conditions of supervised

release 1) by using methamphetamine on two separate occasions; 2) by knowingly associating with a convicted felon without obtaining the prior approval of his probation officer on two separate occasions; 3) by consuming alcohol on two separate occasions; and 4) by committing another crime. (Doc. 154.)

At the revocation hearing, Ketchum admitted that he had violated the conditions of his supervised 1) by using methamphetamine on two separate occasions; 2) by knowingly associating with a convicted felon without obtaining the prior approval of his probation officer on two separate occasions; and 3) by consuming alcohol on two separate occasions. The Court dismissed alleged violation 7 on the government's motion (Doc. 157.) Judge Johnston found that the violations Ketchum admitted proved to be serious and warranted revocation, and recommended that Ketchum receive a custodial sentence of 5 months, with 43 months supervised release to follow. (Doc. 1558.) Ketchum was advised of his right to appeal and his right to allocute before the undersigned and waived those rights. (Doc. 157.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 158) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Robert Lee Ketchum be sentenced to the Bureau of Prisons for 5 months, with 43 months supervised release to follow. Ketchum should

served his term of custody at the Bureau of Prisons' facility in Englewood,
Colorado.

DATED this 13th day of April, 2022.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court